

REMARKS

Claims 1, 3, 5-8, 15, 18, 20, 22-28 are now pending in the application. Claims 1, 5, 6, 15, 20 and 22 have been amended. Claims 2, 4, 9-14, 17, 19 and 21 have been canceled. Claims 23-28 have been added.

The Patent Office objected to the Title of the invention as not being descriptive.

The Title has been amended.

Claims Rejections – 35 USC § 102

The Patent Office rejected claims 1-5, 7-20 and 22 under 35 U.S.C. § 102(e) as being anticipated by Keller, et al., U.S. Patent No. 6,587,404 (Keller).

Claims Rejections – 35 USC § 103

The Patent Office rejected claims 6 and 21 under 35 U.S.C. 103(a) as being unpatentable over Keller, et al., U.S. Patent No. 6,587,404 (Keller).

Applicants respectfully traverse both rejections. Applicants respectfully submit a *prima facie* case of anticipation or obviousness has not been established for any one of claims 1, 15 and 23. Anticipation requires the disclosure in a single prior art reference of each element of the claim under consideration. *W.L. Gore & Assocs. v. Garlock*, 721 F.2d 1540, 220 USPQ 303 (Fed. Cir. 1983), *cert. denied*, 469 U.S. 851 (1984). Further, “anticipation requires the presence in a single prior art reference disclosure of each and every element of the claimed invention, arranged as in the claim.” *Lindemann Maschinenfabrik GmbH v. American Hoist & Derrick Co.*, 730 F.2d 1452, 221 USPQ 481, 485 (Fed. Cir. 1984) (citing *Connell v. Sears, Roebuck & Co.*, 722 F.2d 1542, 220 USPQ 193 (Fed. Cir. 1983)). Emphasis added. Additionally, to establish *prima facie* obviousness of a claimed invention, all the claim limitations must be taught or suggested

by the prior art. *In re Ryoka*, 180 U.S.P.Q. 580 (C.C.P.A. 1974). See also *In re Wilson*, 165 U.S.P.Q. 494 (C.C.P.A. 1970).

Applicant respectfully submits claims 1, 15 and 23 include elements which have not been disclosed by Keller. For example, claims 1, 15 and 23 recite a transceiver or docking station capable of transferring content converted to another format to a memory of a portable player. Keller fails to teach, disclose or suggest a transceiver or docking station capable of transferring content converted to another format to a memory of a portable player.

The Patent Office points to Fig. 4, a disc subsystem bus 108 for support of its assertion that Keller discloses a transceiver capable of transferring content converted to another format to a portable player. However, in Keller, content converted to another format is not transferred to a portable player. Rather, the secondary disc recordable drive 108 is housed within the recording device itself, thus the secondary disc recordable drive is not portable. Further, Keller does not disclose a transceiver capable of transferring converted content to a memory of a portable player. In Keller, the secondary disc recordable drive does not contain a memory for storage of converted content.

Consequently, elements of claims 1, 15 and 23 have not been taught by Keller. Thus, claims 1, 3, 5-8, 15, 18, 20, 22-28 should be allowed.

CONCLUSION

In light of the forgoing, reconsideration and allowance of the claims is earnestly solicited.

Respectfully submitted,

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